

1969 Assembly Bill 163

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CHAPTER 426, LAWS OF 1969

AN ACT to create 134.67 of the statutes, prohibiting the distribution, sale and use of the chemical compound DDT.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 134.67 of the statutes is created to read:

134.67 DISTRIBUTION AND SALE OF DDT PROHIBITED. No person shall distribute, sell, offer for sale or use the chemical compound DDT (dichlorodiphenyltrichlorethane) or any of its isomers except as provided in this section. In subs. (1) and (2) "DDT" includes compounds isomeric with DDT.

(1) For the purposes specified in sub. (2), the secretary of agriculture, the state health officer and the secretary of natural resources shall constitute a DDT emergency board, and any such officer may call a meeting of the emergency board to act under sub. (2).

(2) (a) In the event of the outbreak of an epidemic disease of humans or animals spread by insects which it is known can be controlled by DDT but cannot be adequately controlled by any other known pesticide, the emergency board may authorize the use of DDT in controlling the epidemic upon a finding that:

1. A serious epidemic disease of humans or animals exists;
2. The disease is likely to spread rapidly unless insects which spread the disease are controlled; and
3. The only effective means of control is DDT.

(b) In the event of the outbreak of a plant disease of epidemic proportions which threatens a significant portion of the affected crop and which is caused or spread by an insect which it is known can be controlled by DDT but cannot be adequately controlled by any other known pesticide, the emergency board may authorize the use of DDT in controlling the epidemic upon a finding that:

1. An epidemic plant disease exists;
2. The disease threatens a significant portion of the affected crop; and
3. The only effective means of control is DDT.

(c) The emergency board also may authorize the use of DDT or its isomers or metabolites for specified research by educational institutions if it finds that no ecologically significant residues of DDT or its isomers or metabolites will be allowed to escape into the environment.

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SECTION 2. RECONCILIATION WITH PENDING LEGISLATION. If Senate Bill 124 which creates a pesticide review board becomes law, section 134.67 (1) of the statutes, as created by this act, is repealed and references in section 134.67 (2) of the statutes, as created by this act, to the "emergency board" shall be deleted and references to "pesticide review board" substituted therefor.

SECTION 3. EFFECTIVE DATE. This act shall take effect on December 31, 1969, or on the day after publication, whichever occurs later.
Approved February 13, 1970.
